

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

KIMBERLY DIONNE ROSS,

Plaintiff, : Case No. 3:10-cv-316  
- vs - : District Judge Thomas M. Rose  
COMMISSIONER OF SOCIAL : Magistrate Judge Michael R. Merz  
SECURITY, :  
: Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #9), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

It is hereby ORDERED that the complaint is DISMISSED without prejudice for want of prosecution and this case is TERMINATED on the docket of this Court.

January 24, 2011

*\*s/THOMAS M. ROSE*

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Thomas M. Rose  
United States District Judge